

*Korrest, S*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <b>FEB 23 2012</b>

X  
RAMSEY BAINES, AKEEM MEALING,

Plaintiffs,

-against-

THE CITY OF NEW YORK, POLICE OFFICER JOHN  
FRANK (TAX ID. 938500), POLICE OFFICER  
MICHAEL PERULLO (TAX ID. 937282), POLICE  
OFFICER BURT ANTOINE (TAX ID. 939877), SGT.  
ROBERT BRACERO (TAX ID. 924973), CAPT. COYLE  
(TAX ID. 895321),

**STIPULATION OF  
SETTLEMENT OF  
ATTORNEY'S FEES**

11 Civ. 2846 (KBF)

*2846*

Defendants.

X

**WHEREAS**, plaintiffs Ramsey Baines and Akeem Mealing commenced this action by filing a complaint on or about April 27, 2011, and an amended complaint on or about September 28, 2011, alleging that defendants City of New York, Captain Michael Coyle, Sergeant Robert Bracero and Police Officers John Frank, Michael Perullo and Burt Antoine violated plaintiffs' federal civil and state common law rights; and

**WHEREAS**, defendants have denied any and all liability arising out of plaintiffs' allegations; and

**WHEREAS**, Ramsey Baines' claims were resolved pursuant to the Stipulation of Settlement and Order of Dismissal endorsed by the Court on February 16, 2012 for \$7,500.00 plus reasonable attorneys' fees, costs, and expenses, up to February 2, 2012; and

**WHEREAS**, Akeem Mealing's claims were resolved pursuant to the Stipulation of Settlement and Order of Dismissal endorsed by the Court on February 16, 2012 for \$7,500.00 plus reasonable attorneys' fees, costs, and expenses, up to February 2, 2012; and

**WHEREAS**, pursuant to the Stipulation of Settlement and Order of Dismissal endorsed by the Court on February 16, 2012, plaintiff Ramsey Baines assigned his right to attorneys' fees, costs, and expenses to his counsel; and

**WHEREAS**, pursuant to the Stipulation of Settlement and Order of Dismissal endorsed by the Court on February 16, 2012, plaintiff Akeem Mealing assigned his right to attorneys' fees, costs, and expenses to his counsel; and

**WHEREAS**, counsel for plaintiffs and defendants now desire to resolve the issue of attorney's fees, costs and expenses, without further proceedings; and

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, as follows:

1. Defendant City of New York shall pay to plaintiffs' counsel, Robert Marinelli, Esq., the sum total of FIFTEEN THOUSAND DOLLARS (\$15,000.00) in full satisfaction of plaintiffs' attorney's fees, expenses and costs; and

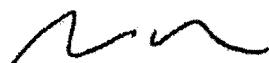
2. This Stipulation of Settlement of Attorney's fees ("Stipulation") shall not be construed to be an admission by any of the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York; and

3. This Stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, and nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

Dated: New York, New York  
2/25, 2012

Robert Marinelli, Esq.  
*Attorney for Plaintiffs*  
305 Broadway, 14<sup>th</sup> Floor  
New York, New York 10007

By:

  
\_\_\_\_\_  
Robert Marinelli, Esq.  
*Attorney for Plaintiffs*

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
100 Church Street  
New York, New York 10007

By:

  
\_\_\_\_\_  
Matthew J. Modafferi  
*Assistant Corporation Counsel*

SO ORDERED:

K. B. Forrest  
HON. KATHERINE B. FORREST  
U.S.D.J.  
